

**BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

Meeting Date: 16 April 2003

Division: Growth Management

Bulk Item: Yes      No X

Department: Marine Resources

**AGENDA ITEM WORDING:**

Update briefing on wastewater management projects and issues.

**ITEM BACKGROUND:**

The County Administrator informed the BOCC at its June 20, 2002, regular meeting, that staff will provide briefing updates on the status of wastewater projects and issues to the BOCC on at least a monthly basis. In addition to a oral briefing, the staff will prepare a written update report intended for insertion in the Wastewater Project Book provided to the BOCC at the June meeting. A staff representative from the FKAA has also been asked to attend the meeting and to provide the Commission with further updates on their projects as necessary.

**PREVIOUS RELEVANT BOCC ACTION:**

NA

**CONTRACT/AGREEMENT CHANGES:**

NA

**STAFF RECOMMENDATIONS:**

NA

TOTAL COST: NA

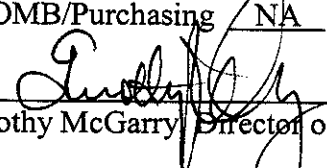
BUDGETED: Yes      No     

COST TO COUNTY: NA

SOURCE OF FUNDS:     

REVENUE PRODUCING: Yes      No X AMOUNT Per Month      Year     

APPROVED BY: County Atty NA OMB/Purchasing NA Risk Management NA

DIVISION DIRECTOR APPROVAL:   
Timothy McGarry, Director of Growth Management

DOCUMENTATION: Included X To Follow      Not Required     

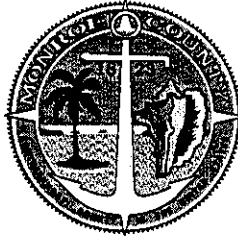
DISPOSITION:     

AGENDA ITEM NO.: T1

# Memorandum

**Department of Marine Resources**

2798 Overseas Highway, Suite 420  
Marathon, Florida 33050  
Voice: (305) 289 2507  
FAX: (305) 289 2536  
Email: [garrett-george@monroecounty-fl.com](mailto:garrett-george@monroecounty-fl.com)

**Board of County Commissioners**

Mayor Dixie Spehar, Dist. 1  
Mayor Pro Tem Murray Nelson, Dist. 5  
Commissioner George Neugent, Dist. 2  
Commissioner Charles "Sonny" McCoy, Dist. 3  
Commissioner David Rice, Dist. 4

DATE: 9 April, 2003

TO: Board of County Commissioners

FROM: James L. Roberts, County Administrator

SUBJECT: **Staff Update Report (# 04-03) on Wastewater Master Plan Implementation Issues**

The staff report has been revised slightly to make the document easier to read. Subject matter has now been provided with a brief "background" statement followed by "update" information. The updates will be current to the month since the last BOCC meeting and monthly staff report. Achievements, since they are beginning to add up, have been moved to the end of the staff report as, Attachment 3.

The staff of the Florida Keys Aqueduct Authority will be on hand at the April Commission meeting to update the Board on progress to date. The FKAA staff report is attached for review (Attachment 1) and the March report will be handed out at the meeting..

## **AVAILABLE FUNDS FOR WASTEWATER**

### **Federal Funds - \$100 M Congressional Authorization:**

Background: Public Law 106-554 authorized the Army Corps of Engineers (ACOE) to "provide technical and financial assistance to carry out projects for the planning, design and construction of treatment works to improve water quality in the Florida Keys National Marine Sanctuary. Congress may appropriate up to 100 million dollars through previous authorization language.

Update: Attached is a letter dated March 27, 2003 to Congressman David Hobson, Chairman of the House Subcommittee on Energy and Water Development (See Attachment 2). The letter is signed by each member of the Florida congressional delegation and requests consideration of a \$30 million appropriation in the FY04 budget.

### **FEMA Funds:**

Background: In response to damages and losses which occurred as a result of Hurricane Georges, Congress enacted Public Law 106-31, Emergency Supplemental Appropriations

Act for Fiscal Year 1999 to fund long term disaster recovery projects in Florida counties whose needs were unmet through primary disaster relief funds. Monroe County requested that a substantial amount of the funds made available to it, be utilized for wastewater improvement projects. There are four FEMA wastewater projects in the County, Key Largo Trailer Village, Conch Key, Baypoint, and one project in Islamorada. These projects must be complete by the end of September 2005.

Update: It is expected that Supplemental Environmental Assessment hearings will be held during April or May (Conch Key) and May or June (Key Largo and Baypoint) in order to take the final step toward providing FEMA construction funds to each of three projects in the County and one in Islamorada. Preliminary planning and engineering design funds have already been provided. Dates have not been finalized for these hearings.

#### FDEP State funding:

Background: Pursuant to Specific Appropriation 1765A of the 2002 - 2003 General Appropriations Act (Chapter 2002-334, Laws of Florida), funding in the amount of \$ 11.8 million was provided was broken into three categories and may fund either wastewater or stormwater projects.

- o First, \$1.66 million was provided to qualifying projects in Key Largo, Islamorada, Marathon, and Key West.
- o Second, \$200,000 was provided both Layton and Key Colony Beach.
- o Third, the remaining funds (\$4.76 million) will be provided to qualifying projects in hotspot areas as identified in the Wastewater Master Plan. The County and municipalities have agreed in a joint resolution to the equitable split of these funds. The County's share will be \$1.112 million. Then, if there are any funds left over, additional projects will be considered in an additional round of funding.

Update: Since its March meeting, all County sponsored projects have been submitted to the State (FDEP) and all requests for additional information have been met.

The North Key Largo Utility project is complete. An amendment to the project Contract (LP0337) is on the BOCC agenda for April, which will allow the County to submit invoices for payment on this project.

The Key Largo Wastewater Treatment District project has been finalized and an amendment to their Contract with FDEP (LP0338) has been approved by the District Board, which will allow the Utility to submit invoices on the project. However, the Board is considering a rebid of the project to tie the Key Largo Park and Key Largo Trailer contracts together. If this occurs, the contracts for work in the two areas will be delayed until June. This will not delay the initiation of construction.

The Key West Resort Utilities (KWRU) project cannot meet the requirements of the FDEP grant (LP0337). The bid process undertaken by Key West Resort Utility met legal standards for a private utility, but could not meet the same test for public entity, as assessed by the State.

Therefore, KWRU will not be eligible for the funding set out in LP0337. The funding instead will be shifted to the Key Largo Treatment District project at Key Largo Park.

An item of note is that a request for \$3 million additional dollars from the State has been passed by the House within the Florida State Legislature. The Senate has not passed a similar appropriation in their budget. The Commission will likely see an agenda item at its April meeting requesting that the Senate include the \$3 million in their budget package. See Attachment 2 – a KeyNoter Article.

#### Remaining Cesspool Elimination Funds:

Background: Under the Cesspool Identification and Elimination Program (CIEA), funds were provided through four contracts to Monroe County to be used as grants to property owners assist in the cost of upgrading cesspools to approved on-site wastewater nutrient reduction systems (OWNRS). Two of the contracts were utilized to completion and have helped to eliminate cesspools in all areas defined as “Coldspots.” These contracts provided approximately \$1,000,000 in cesspool replacement grant funds. As the CIEA program is complete in the Coldspot areas at this time, it has been the direction of the Commission to shift remaining funds to other projects where cesspools must be replaced. The remaining contract funds amount to \$1,225,600.

Update: The Transition Agreement with the Key Largo Wastewater Treatment District, the FKAA, and the County was approved at a special meeting on February 24, 2003. As agreed upon in the Transition Agreement, cesspool replacement funds have been shifted to Key Largo Wastewater Treatment District projects. No cesspool funds have been requested to date from the KLWTD.

#### Other Grant Opportunities:

Background: Under House Bill 851 (FY 2002), the County developed a wastewater project proposal for the Key Largo area. Similarly, the FKAA submitted several different proposals, one for each of its current wastewater project areas. The Key Largo proposal and other FKAA proposals were submitted in the early part of November.

Update: No action in March 2003.

Background: Rick Casey of the Monroe County Housing Authority had been very hopeful of receiving a Community Development Block Grant (CDBG) for approximately \$350,000. This request fell through in October but apparently was revitalized in January when one of those agencies awarded funds failed to qualify in the final review. As the County was next in line, apparently the County will be receiving a share of the current grant funds. Staff understands that the amount is substantially more than originally requested, approximately \$637,500.

Update: The BOCC approved receipt of CDBG funds (\$637,500) immediately as outlined above at its 19 March 2003 meeting

### Issues That Need to be Addressed

- Need to adopt financial assistance criteria for economically disadvantaged households throughout the County.
- Need to develop a revolving loan program for all areas served by investor-owned utilities sponsored with funding by the County.

### Recommended BOCC Action:

- Consideration of additional recommendations for financial assistance programs.

### Significant Future Milestones/Actions:

- Decision on financial assistance programs as recommended by staff. *[Target Date: June Commission meeting]*

## **WASTEWATER GOVERNANCE**

### FKAA:

Background: The FKAA is the County's wastewater authority within unincorporated areas of the County and outside of other wastewater jurisdictions such as the KWRU or KLWTD. The County is working with the FKAA on projects on Conch Key, Baypoint, and Big Coppitt.

Update: No specific action since the March BOCC meeting.

### Key Largo Wastewater Treatment District:

Background: With its creation in June of 2002 and the election of Board member in November of 2002, the Key Largo Wastewater Treatment District (KLWTD) is currently an independent Utility District. They will need County and FKAA assistance in a transition process over the first six months to one year.

Update: The KLWTD has become largely self sufficient culminated by the adoption, at the BOCC special meeting held on February 24, 2003, of the tri-party transition agreement between the Utility, the County, and The FKAA. Staff will be meeting with the Utility Board staff to complete remaining portions of the transition agreement within the next week. The Utility has completed obligations to receive funds from the FDEP for its portion of 1765A State budget appropriations (\$1,660,000). They have approved the grant amendment to the FDEP agreement for these funds to allow invoicing and disbursement of the funds. In review of the Key Largo Trailer Village and Key Largo Park project proposal, the KLWTD is considering an effort to

consolidate the projects for simplicity of implementation and to potentially reduce start-up costs. Contracts for the two projects should be completed by June.

Staff from both the FKAA and County have also been working with the KLWTD to provide a smooth transition on FEMA funds. Timing for receipt of the FEMA funds is critical and thus far staff has focused on transitioning from the County and the FKAA to the Utility, not as much on what happens then – as in the case of tracking the FEMA obligations.

All efforts of the Utility are currently on schedule.

Issues That Need to be Addressed:

- None at this time

Recommended BOCC Action:

- None at this time

Significant Future Milestones/Actions:

- None at this time

## **PROGRAMMATIC IMPLEMENTATION PLAN**

Background: Staff has indicated that it will work to provide a long-range implementation program for wastewater projects. To a limited extent this has happened through the capital budget process and through the efforts on-going with the ACOE to develop projects under the congressional \$100M authorization. An integration of all of these components remains to be completed.

Update: No Additional Update at this time.

Issues That Need to be Addressed:

- Need for realistic programmatic implementation plan that establishes policies on reasonable connection fees and monthly charges; project and financing priorities; and a schedule for programming of wastewater projects based on available identified funding in accordance with the Sanitary Wastewater Master Plan.
- Need to revise the Seven Year Work Program in the Monroe County Year 2010 Comprehensive Plan to reflect the results of the adopted programmatic implementation plan.

Recommended BOCC Action:

- Consideration of recommended draft programmatic implementation plan prepared by County and FKAA staff.

Significant Future Milestones/Actions:

- Approval of programmatic implementation plan for the Sanitary Wastewater Master Plan  
*[Target Date: July 2003 Commission meeting]*

**FEMA UNMET NEEDS PROJECTS**

**A. General**

Background: In response to damages and losses which occurred as a result of Hurricane Georges, Congress enacted Public Law 106-31, Emergency Supplemental Appropriations Act for Fiscal Year 1999 to fund long term disaster recovery projects in Florida counties whose needs were unmet through primary disaster relief funds. Monroe County requested that a substantial amount of the funds made available to it, be utilized for wastewater improvement projects. There are four FEMA wastewater projects in the County, Key Largo Trailer Village, Conch Key, Baypoint, and one project in Islamorada. These projects must be complete by the end of September 2005.

Update: Staff met with FEMA, FDCA, and FDEP project managers to discuss progress and the current time line for this project on December 11, 2002. The current focus is on following through with required Supplemental Environmental Assessment hearings for each of the FEMA projects. This will happen in the May/June time frame.

Issues That Need to be Addressed:

- Complete FEMA Supplemental Environmental Assessment hearings

Recommended BOCC Action:

- None at this time

Significant Future Milestones/Actions:

- None at this time

**B. Key Largo Trailer Village (MM 100 +/-)**

Background: After reduction in the size of the Key Largo wastewater project, staff returned to the original FEMA project list for Key Largo. Key Largo Trailer Village was selected as a prime site in need of wastewater improvements under the guidelines of the FEMA Unmet

Needs congressional appropriation. It is a very low-lying area with a large number of unknown wastewater systems.

Update: Staff met with FEMA, FDCA, and FDEP project managers to discuss progress and the current time line for this project on December 11, 2002. It is anticipated that FEMA Supplemental Environmental Assessment hearings will occur in May for this project. At that time, KLWTD will be able to complete the bid process for this project and initiate a construction contract. As noted in other areas of the report staff continues to work with the FKAA and FEMA to get the KLWTD up to speed with FEMA project obligations in preparation for upcoming hearings and in order for the Utility to be in complete knowledge and control of the project.

Issues That Need to be Addressed:

- Complete FEMA Supplemental Environmental Assessment hearings.
- Complete transition process between the County, FKAA, KLWTD, and FEMA for project management
- Complete Project construction bid process and initiate construction contracts

Recommended BOCC Action:

- None at this time

Significant Future Milestones/Actions:

- Completion of FEMA hearings [*Target Date: May 2003 KLWTD meetings*]
- Complete transition process between the County, FKAA, KLWTD, and FEMA for project management. [*Target Date: July 2003*]
- 
- Initiation of construction contracts [*Target Date: June 2003 KLWTD meetings*]

**C. Conch Key (MM 61)**

Background: Conch Key was selected as a prime site in need of wastewater improvements under the guidelines of the FEMA Unmet Needs congressional appropriation. It is a very low-lying area with a large number of unknown wastewater systems.

Update: Staff met with FEMA, FDCA, and FDEP project managers to discuss progress and the current time line for this project on December 11, 2002. It is anticipated that FEMA Supplemental Environmental Assessment hearings will occur in May for this project. At that time, FKAA will be able to complete the bid process for this project and initiate a construction contract.



Issues That Need to be Addressed:

- Complete FEMA Supplemental Environmental Assessment hearings.
- Complete Project construction bid process and initiate construction contracts

Recommended BOCC Action:

- None at this time

Significant Future Milestones/Actions:

- Completion of FEMA hearings *[Target Date: May 2003]*
- Initiation of construction contracts *[Target Date: June 200]*

**D. Baypoint (MM 15)**

Background: Baypoint was selected as a prime site in need of wastewater improvements under the guidelines of the FEMA Unmet Needs congressional appropriation. It is a very low-lying area with a large number of unknown wastewater systems.

Update: Staff met with FEMA, FDCA, and FDEP project managers to discuss progress and the current time line for this project on December 11, 2002. The FEMA Supplemental Environmental Assessment hearings are slated for the June timeframe.

Issues That Need to be Addressed:

- Complete FEMA Supplemental Environmental Assessment hearings.
- Complete Project construction bid process and initiate construction contracts

Recommended BOCC Action:

- None at this time

Significant Future Milestones/Actions:

- Completion of FEMA hearings *[Target Date: June 2003]*
- Initiation of construction contracts *[Target Date: July 2003]*

**KEY WEST RESORT UTILITIES (STOCK ISLAND EXPANSION)**

Background: In July of 2002, the Commission approved a contract to complete wastewater improvements on south Stock Island through the Key West Resort Utility (KWRU). In

December the Commission approved a Resolution requesting that the KWRU begin a process to design and construct improvements to their plant to meet AWT nutrient standards. In January, the Commission heard from a number of property owners concerned about the connection requirements and agreements with KWRU. Staff has been working on those issues with KWRU from that time.

Update: Since the week of the Board's last meeting, Staff has met with KWRU twice, both times at the Key West Golf Club and once (as part of the second meeting) on the streets of south Stock Island in order to consider specific properties. At staffs last meeting with the Utility, we completed our assessment of the project and agreed upon the guidelines for a uniform connection policy. We have been working to complete recommendations and to complete a resolution for Uniform Connection Policy for the Board at its April BOCC meeting.

Discussion of financing options (general and low/very low income) was raised at several of the meetings with KWRU. Recommendation in this regard and an ordinance to enact those recommendations will be before the Board at it June meeting.

The Board approved a Contract with Key West Resort Utility to provide some of the State 1776A funding to the Stock Island project – in the amount of \$134,822. All requirements to receive the funding were submitted by the March 1 deadline. Clarification has been requested by FDEP, particularly related to the bidding process used to hire the project contractor. Though entirely legal for a private utility, the bidding process has been rejected as non-responsive for public entities by the State to the grant requirements concerning project procurement procedures. Thus, KWRU will not be eligible for these funds. The Funds are now be shifted, it is anticipated to the Key Largo Park project to provide additional funding there.

#### Issues That Need to be Addressed:

- Review of Connection policies for Key West Resort Utilities – what properties are served to what degree, and at who's expense.

#### Recommended BOCC Action:

- Establishment of a Uniform Wastewater Connection policy for Key West Resort Utilities and the rest of the Keys under FKAA and KLWTD authority – what properties are served to what degree, and at who's expense.

#### Significant Future Milestones/Actions:

- Approval of a uniform wastewater connection policy for all areas of the Keys, including Key West Resort Utilities [*Target Date: April 2003 Commission meeting or later*]

### **LOWER KEYS WASTEWATER (MM 7.0 TO MM 11.0)**

Background: Big Coppitt has been the focus of the Commission as the next wastewater project to be undertaken.

Update: The FKAA is initiating preliminary work to develop engineering design criteria for the Big Coppitt area. This will begin in detail in October.

Information developed by the FKAA will be evaluated to determine what the best management options are for the area. A preferred approach will be presented to the Commission in May.

The Board rescinded its previous action to complete a request for qualifications process to initiate surveying, and design work on Big Coppitt at its last meeting in March. Instead, the Commission has selected to await the findings of the FKAA as it completes its preliminary project feasibility report by May.

Issues That Need to be Addressed:

- Need to determine the preferred wastewater management option for Big Coppitt, including preliminary system capital and operating costs.
- Need to seek additional funding for the project as the next project in priority from the Sanitary Wastewater Master Plan.

Recommended BOCC Action:

- Consideration of recommendations of staff on preferred wastewater management options for Big Coppitt.
- Direct staff to seek funding for the Big Coppitt wastewater project.

Significant Future Milestones/Actions:

- Consideration of project proposals for wastewater management options on Big Coppitt to determine the preferred wastewater management option. *[Target Date: May 2003 BOCC meeting]*
- Acceptance of grant funds to further develop the Big Coppitt wastewater project. *[Target Date: To be determined]*

**EPA DECENTRALIZED WASTEWATER DEMONSTRATION PROGRAM**

Background: In the 1999 congressional appropriations process, the County was granted \$3.8 million to initiate a decentralized wastewater / centralized utility management demonstration project. The project when initiated requires a 25 percent match from the County.

This project has literally taken on a life of its own. It has been difficult to initiate the project with all in agreement as to the best approach for undertaking it.

Update: At the March Commission meeting, the Board approved a process to request proposals (RFP) which would ask for assistance and direction in completing the EPA grant application and initiating the project with a focus on improving on-site technology and reducing the operation and maintenance cost of on-site wastewater systems meeting the 2010 wastewater standards.. Since the Boards approval of this approach staff has agreed to place an RFP on the agenda for April.

In addition, the EPA presented the program concept at the Water Quality Protection Program Steering Committee meeting on April 3, 2003. At that meeting, a letter was presented to the Steering Committee addressed to Commissioner Nelson outlining the need to move ahead on the project.

Issues That Need to be Addressed:

- Need to prepare a Request for Proposals to determine how the grant funds will be used and to prepare an application to receive the EPA decentralized utility grant award.

Recommended BOCC Action:

- Approval of the Request for Proposals
- Agreement to submit grant application to EPA.

Significant Future Milestones/Actions:

- Approval of the Request for Proposals *[Target Date: April 2003 Commission meeting]*
- Approval of EPA grant for Decentralized Utility funding. *[Target Date: July 2003 Commission meeting]*

**OTHER ISSUES**

Background: From time to time other issues will arise concerning wastewater which do not conform to the format in the rest of the monthly report. They will be placed in this section

Update: None since the March 2003 BOCC meeting.

Issues That Need to be Addressed:

- None at this time

Recommended BOCC Action:

- None at this time

Significant Future Milestones/Actions:

○ None at this time

**Attachment 1**

**FCAA April 2003 update**

**Florida Keys Aqueduct Authority  
Wastewater Report  
April 2003**

**Little Venice Wastewater System**

United Engineering Corporation (UEC) is continuing with the construction of the **originally bid wastewater system**. Notable points of construction are:

- Vacuum Collection System
  - Construction of the underground Collection System pipeline work is approximately 80% complete, and pipeline construction on US 1 is now required to be completed.
  - Construction of the vacuum sewer system valve pits and laterals services (to the right of way lines) continues in the neighborhoods.
  - Restoration in the neighborhoods and US 1 has improved but continues to lag the pipeline construction.
  - A change order that modifies the vacuum mains crossing of US 1 is still being negotiated with UEC. Upon acceptance of the change, the crossing should now be completed in May 2003.
- Advanced Wastewater Treatment (AWT) Plant
  - Platforming around the wastewater treatment unit tankage is being installed.
  - Excavation of the vacuum and pump station has been completed.
  - FKAA has changed contract managers to provide better project management, and to mitigate potential construction delays.
  - However, work on the AWT Plant has not been prosecuted in a timely manner.
- Customer Hookup and Systems Operation
  - FKAA has internally discussed the coordination, and procedures for the customer hook ups.
  - A plumber's coordination meeting has been scheduled for 29 April 2003.
  - Subsequent coordination with the DOH and City of Marathon will then be required.
  - The FKAA is preparing a draft of the operations and maintenance contract that is scheduled to be completed by 30 June 2003.

The following occurred during the month concerning the **Little Venice Expanded** (expanded service area) contract:

- The apparent low bidder Kenko, Inc. who previously requested that their bid be withdrawn, has recanted their withdrawal.
- FKAA intends to award the contract to them at the FKAA April Board meeting.
- Construction is expected to commence upon USEPA issuing their Finding of No Significant Impact (FONSI) that is expected in May 2003.

**Marathon Central**

Subsequent to the denial of the appeal to the Florida Supreme Court concerning the Bond Validation process, FKAA and the City of Marathon met twice to discuss moving forward with the program. During the month:

- The FKAA and the City identified a phased approach (up to 6 phases) to moving forward with the City of Marathon Central Wastewater System.
- The large scale single phase Central Wastewater System project was considered to be too big of a program to be undertaken, and did not allow flexibility for future funding potentials.
- This approach has been submitted for consideration under the potential Florida Keys Water Quality Improvement Program (\$100 M Federal Fund).
- The FKAA and the City will reinstitute Task Force meetings with a meeting on 16 April 2003 to coordinate the effort.

#### **Conch Key**

A preliminary design report has been received and reviewed by FKAA, and revisions to the report are now required. Otherwise, as reported earlier:

- FKAA submitted the Basis of Conceptual Design Report as a condition of the Supplemental Environmental Assessment (SEA) information required by FEMA.
- A site-specific SEA public workshop is currently scheduled to be conducted in April 2003.
- Staff has applied for \$200,000 of funding under the State of Florida Water Projects Funding (WPF) grant program in an effort to obtain supplemental funding for the project.

#### **Key Largo Trailer Village**

FKAA is coordinating with FEMA to close out the environmental assessment portion of the project. A plan for an alternate wastewater system plan was submitted to FEMA during the month as additional information in support of the environmental assessment. A FEMA coordination meeting has been scheduled for 23 April 2003.

It is FKAA's understanding that the Design Build Proposals received from four contractors in February 2003 are under consideration by the Key Largo Sewer Board.

#### **Key Largo Park**

It is FKAA's understanding that the Construction Bids received from four contractors in February 2003 are under consideration by the Key Largo Sewer Board.

#### **Bay Point**

FKAA submitted additional information to FEMA as a condition of the Supplemental Environmental Assessment (SEA) information during the month. Otherwise, as reported earlier:

- Design of the system continued during the month in order to meet the scheduled deadlines.
- A site-specific SEA public workshop will be conducted by FEMA in April or May.
- Staff has applied for \$400,000 of funding under the State of Florida Water Projects Funding (WPF) grant program in an effort to obtain supplemental funding for the project.



**Big Coppitt Key, Geiger Key and Rockland Key**

Preparation of the wastewater facilities plan and cost of service study for the system continued during the month. A meeting with FDEP is scheduled on 11 April 2003 to discuss the prospect of constructing pipeline bridge or subaqueous crossings to the KWRU WWTP.

**Attachment 2**  
**Appropriation Requests**

FROM : Commonwealth Consulting  
4/1/04 10:00 AM

FAX NO. : 703 524 1805

Apr. 04 2003 01:31PM P2

**Congress of the United States**  
**Washington, DC 20515**

*lobbying*

March 27, 2003

The Honorable David L. Hobson, Chairman  
House Subcommittee on Energy and Water Development  
2362 Rayburn House Office Building  
Washington, DC 20515

Dear Mr. Chairman:

We are writing in support of \$30 million in funding for Florida Keys wastewater infrastructure improvements.


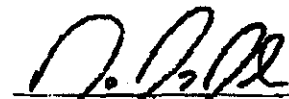
The Florida Keys are home to the Earth's third-largest coral barrier reef, and are one of the world's best known, most visited and most threatened tropical marine ecosystems. Much of the region's irreplaceable natural resources are under the protection of three national parks, four national wildlife refuges, and the country's second-largest national marine sanctuary, which help attract 3 million visitors to the Keys annually. From the establishment of the Key West National Wildlife Refuge nearly a century ago, to the creation of the Florida Keys National Marine Sanctuary in 1990, our nation has made a substantial investment in protecting the biological wealth of this remarkable region.

Adjacent to the Florida Keys land mass are located spectacular, unique, and nationally significant marine environments," noted Congress in the Florida Keys National Marine Sanctuary and Protection Act (Public Law 101-605). "These marine environments support rich biological communities possessing extensive conservation, recreational, commercial, ecological, historical, research, educational and aesthetic values which give this area special national significance."

Monroe County and incorporated municipalities within the County have embarked on an ambitious plan to comprehensively address the area's infrastructure needs. This collaborative effort is possible through funding available by the passage of The Florida Keys Water Quality Improvements Act (P.L. 106-534) in 2000.

We respectfully request an appropriation of \$30 million through the Energy and Water Development appropriations bill in FY04 to assist the local governments in the first phase of these critical infrastructure improvements.

Sincerely,

  
Ileana Ros-Lehtinen  
Peter Deutsch  
Lincoln Diaz-Balart  
Mario Diaz-Balart  
Kendrick B. Meek  
Kendrick Meek

PRINTED ON RECYCLED PAPER

# House OKs \$3M for wastewater

*But item is not in Senate's plan*

By ALYSON MATLEY  
amatley@keynoter.com

The push is on to secure more sorely needed funding for wastewater and stormwater improvements in the Keys.

This week, the state House of Representatives approved a budget that includes a \$3 million amendment for Keys projects, according to an announcement issued by Rep. Ken Sorensen.

Although the addition to the budget passed the House, there is no similar item in the Senate's proposed budget, according to Monroe County Commissioner Murray Nelson, who serves as the county's liaison with Sorensen.

"I'll have an item on next week's [County Commission] agenda," said Nelson, "encouraging Sen. [Larcenia] Bullard to support the appropriation."

Nelson says that if the \$3 million were added to the state budget, it would likely be distributed locally by the Intergovernmental

## LEGISLATURE

Task Force that's made up of representatives of the county and each Keys municipality.

At the same time, a bipartisan coalition of U.S. congressmen has issued a letter requesting that \$30 million in federal funding be appropriated this year for Keys wastewater infrastructure improvements.

Reps. Ileana Ros-Lehtinen, Peter Deutch, Lincoln Diaz-Balart, Mario Diaz-Balart and Kendrick Meek have requested that the funds be appropriated in fiscal year 2004.

In 2000, Congress authorized \$100 million in wastewater funding for the Keys through the Florida Keys Water Quality Improvements Act. The U.S. Army Corps of Engineers and the South Florida Water Management District are to distribute that money. However, none has yet been appropriated.

In recent months, county and state officials have wrangled over the best way to encourage Congress to begin the flow of

funds. Sorensen attempted to redirect the money through a state agency, but after some vacillating, the county stuck with the original plan proposed by Congress to go through the Water Management District.

To date, more than \$44 million has been committed by county, state and federal sources to upgrade Keys wastewater systems. According to County Marine Resources Director George Garrett, a number of these projects are facing deadlines this year. For example, Conch Key and Bay Point must have spent money provided by the Federal Emergency Management Agency by September or risk losing it.

Sorensen last month introduced a bill that would create a trust fund aimed at retaining funds where projects are falling behind deadlines.

## PLAN AHEAD!

7 Mile Bridge Run

BRIDGE CLOSED

Sat. April 26th, 7 a.m.-9 a.m.

## In brief

### Autos pile up in hit-and-run

Key West police arrested an alleged hit-and-run driver who reportedly tried to run down two witnesses to a crash that piled up parked vehicles on Truman Avenue, according to police spokeswoman Cynthia Edwards.

Hearing a loud crash about 4 a.m. Sunday, neighbors in the 1400 block of Truman Avenue came out of their houses. They

saw a maroon pickup truck on-top of two parked scooters and partially up on a parked Corvette that had been pushed into a parked Mazda, she said.

They told Officer Keith Rendeles the passenger from the pickup got out and tried to pull the truck off the scooters.

Jorge Luis Arauz Martinez, 32, was arrested for leaving the scene of an accident with more than \$50 damage, and leaving the scene with injuries. Damage was estimated at almost \$10,000.



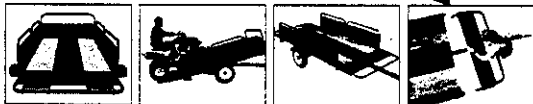
## Improving your earning potential while helping others!

Marathon Manor, the area's skilled nursing facility that services the elders of your community, is offering a program to help you become a certified nursing assistant. To participate in our **test prep program**, applicants should desire to work full or part time at the facility. There is no charge for the class, but excellent attendance is a must. CNA's help patients to return to health, prepare to go home, or stay in our facility but function at their highest potential. Bathing, dressing and meal services are examples of the support you will offer them. Interested persons should call Suzan Eckers, DONs at 305-743-4466 ext. 201.DFWP/EOE.



# Trailer Event

**Hurry! Event lasts through April 13!**



### 4.5'x8' Trailer

- Easily converts from a 4.5'x8' to a 4'x12' bed area to accommodate a wide range of loads.
- Spoked 12" wheels • heavy-duty Class C tires for highway speeds.
- Treated plywood floor with steel center channel.

40595 1251915

**\$599**

ONLY  
\$19  
per month!



**\$2699**

ONLY  
\$68  
per month!

### 6'x12' Workshop Cargo Trailer

- Side door and non-skid rear ramp
- Dexter EZ-lube hubs
- Painted 3/4" thick plywood floor
- Payload capacity 1,790 lbs.

WS612SC 293549



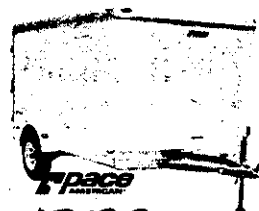
**\$2399**

ONLY  
\$60  
per month!

### 6'x10' Workshop Enclosed Trailer With Side Door

- 2990 lbs. GVWR, single axle
- Standard rear double doors
- Painted 3/4" thick plywood floor
- DOT approved 12-volt lighting system
- Includes nose jack and safety chains

WS610HD 1201552



**\$2199**

ONLY  
\$55  
per month!

### 6'x10' Workshop Enclosed Trailer

- 2990 lbs. GVWR, single axle
- Standard rear double doors
- Painted 3/4" thick plywood floor
- DOT approved 12-volt lighting system
- Includes nose jack and safety chains

WS610HD 1201485



No Payments  
No Interest  
For  
**6 Months**

On all purchases  
of \$299 or more  
on your Home Depot  
Consumer Credit Card

**Marathon**  
4555 Overseas Hwy  
(305) 289-1966

General merchandise prices may vary after 4/13/2003 if there are market variations (commodities excluded)

### \*Key Credit Terms:

**6-Month Credit Offer:** Payments are not required for 6 months on any approved purchase of \$299 or more charged to your Home Depot® Consumer Credit Card account. Finance charges and optional insurance charges will be billed from the date of purchase, but finance charges will be reversed if the promotional purchase and any insurance charges are paid in full within 6 months. If they are not, you will be responsible for these charges. Regular credit terms apply to non-promotional purchases. APR is 21% (18% in IA) and 15.48% for purchases of \$2,000 or more. Min. finance charge is \$1.00 (\$5.00 in IA). Offer subject to credit approval. Valid at all U.S. Home Depot® stores. **Minimum Monthly Payments:** The payments shown are an estimate of your required minimum monthly payments, and assume that you have no existing balance, make no additional purchases, that you pay the minimum payment by the payment due date each month, and that you do not incur any additional fees. Actual minimum monthly payments may vary. These payments apply only to the Home Depot Consumer Card.

AE#49811 MKT#138

## **Attachment 3**

### **List of Achievements**

## **AVAILABLE FUNDS FOR WASTEWATER**

### Issues Addressed/Actions Taken

- Approval by the BOCC to provide funds to the FKAA in the amount of \$200,000 to offset costs of preliminary engineering efforts to complete requirements to receive State funds at Key Largo Park.
- Approval of staff recommendations for use of remaining FDEP, FDCA, and County funds remaining from cesspit replacement program.
- Approval of a Resolution requesting that the State's Congressional delegation assess the feasibility of shifting any federal appropriations funds for wastewater in the Florida for management and dissemination by the Florida Department of Community Affairs.
- Approval by the BOCC to provide an additional \$156,000 to the FKAA for development of the state funded Key Largo Park wastewater project.
- Approval of a revised Resolution to seek a dual path for funding wastewater projects, one through the existing federal authorization and the other through the efforts of the County's State Representative to have appropriations provided to a State Trust Fund administered by FDCA.
- Submitted a project proposal for Key Largo under the auspices of House Bill 851.
- Attendance on the Board at a meeting with Ileana Ros-Lehtinen's staff to discuss approaches federal wastewater funding.
- Meeting held with Ileana Ros-Lehtinen's office regarding the most appropriate mechanism to obtain the \$ 100 million appropriation. Indication was that the current approach is the best.
- Introduction of House Bill 0101 which would create a wastewater / stormwater trust fund to be administered through FDCA.
- Contracts approved and signed to move forward on acquiring state funds for North Key Largo Utility and Key West Resort Utility.
- County staff provided appropriations requests to Senator Graham and Nelson's offices. The amount of the requested funds was \$3,000,000 to initiate priority projects in the coming year.

## **WASTEWATER GOVERNANCE**

### Issues Addressed/Actions Taken

- MSTUs advertised and adopted for Conch Key, Marathon, Bay Point, and Big Coppitt
- A District Manager (Management Firm – GSG/Robert Sheets), a District Engineer (Boyle Engineering) were hired, and number of Key Resolutions (Rates & Fees and Request for MSTU), were passed by the Key Largo Wastewater Utility District.
- Transition agreement approved between the County, FKAA, and the Key Largo Wastewater Utility Board.
- MSTU to be advertised in May at the BOCC meeting for the Key Largo Wastewater Treatment District.

## **PROGRAMMATIC IMPLEMENTATION PLAN**

### Issues Addressed/Action Taken:

- Approval by BOCC of policies on “reasonable” connection fees and monthly service charges and public financial assistance to wastewater projects and economically disadvantage households.

## **FEMA UNMET NEEDS PROJECTS**

### **E. Key Largo Trailer Village (MM 101.5) and Key Largo Park (MM 100.5)**

#### Issues Addressed/Addressed Taken:

- Approval by the BOCC assigning \$1.66 million in available State funds to expand the Key Largo Trailer Village FEMA project to include Key Largo Park.
- Approval of a resolution with the FKAA for the use of \$1.66 million in FDEP funds to move forward toward constructing the Key Largo Park project and the designation of up to \$200,000 in Fund 148 dollars to assist the FKAA in on-going engineering costs for the Key Largo project.
- Approval of an additional \$156,000 in funding for project development at Key Largo Park.
- Approval of a revision to the Inter-local Agreement with FKAA to allow direct payment to Boyle Engineering for engineering services on Key Largo Park.
- Approval of a joint transition agreement with the FKAA and the Wastewater District on the Key Largo Trailer Village project.

### **F. Conch Key (MM 61)**

#### Issues Addressed/Addressed Taken:

- Approval by the BOCC of the selection of the stand-alone wastewater management option for Conch Key on June 20, 2002.
- Approval of an agreement with FDOT for the proposed wastewater treatment plant site on the north side of the Overseas Highway, Conch Key
- Decision not to move forward in acquiring property on the south side of the Overseas Highway, Conch Key.
- Held informal workshops with the Conch Key community in early December 2002

### **G. Baypoint (MM 15)**

#### Issues Addressed/Addressed Taken:

- Selection by the BOCC of a site in Bluewater RV Park for location of a wastewater treatment plant.
- Approval to purchase lots 11 and 12 of Baypoint Subdivision
- Held informal workshops with the Bay Point community in early December 2002
- Baypoint lots 11 and 12 purchased and in County ownership

## **KEY WEST RESORT UTILITIES (STOCK ISLAND EXPANSION)**

Issues Addressed/Addressed Taken:

- Approval by the BOCC on July 31, 2002, of a contract to make available to Key West Resort Utility \$4.6 million in Fund 304 Infrastructure money to expand its collection to the remaining portions of south Stock Island.
- Acceptance of financial assistance program for economically disadvantaged households presented by staff.
- Revision of financial assistance program to include mobile home park owners, allowing multiple payments over a three year period.
- Approval of a Resolution for Key West Resort Utility move forward on upgrading its plant to AWT.
- Approval of a contract for receipt of state monies to assist in construction on Stock Island.

**LOWER KEYS WASTEWATER (MM 7.0 TO MM 11.0)**

Issues Addressed/Addressed Taken:

- Requested \$2,000,000 from House Bill 851 funding program.
- Approved sending out an RFQ for Engineering services to complete surveying, aerial photography, and engineering design work.

**EPA DECENTRALIZED WASTEWATER DEMONSTRATION PROGRAM**

Issues Addressed/Addressed Taken:

- Approval of staff recommendations to move forward with the EPA decentralized grant program.

**OTHER ISSUES**

Issues Addressed/Addressed Taken:

- Revision of ordinance to change Duck Key and Conch Key to "hotspots." Resolutions 39-2002 and 40-2002.